

REMARKS

Applicant has carefully reviewed and considered the Office Action dated May 3, 2007 and the references cited therein. Claims 72, 77 and 101 have been amended. Claims 75, 76 and 102 have been cancelled without prejudice. Applicant believes the application is now in condition for allowance. Accordingly, favorable reconsideration in light of the foregoing amendments and following remarks is respectfully requested.

Claims 54-71 and 90-100 have been allowed. Claims 72 and 87 stand rejected under 35 U.S.C. § 102 as anticipated by MacDonald (U.S. Patent 3,112,500). Additionally, claims 101-106 stand rejected under § 102 as anticipated by Korber (U.S. Patent 3,681,792). Applicant respectfully traverses these rejections.


Applicant has amended claim 72 to include the limitations of previous claims 75 and 76 without intervening claim 73. Claims 75 and 76 had inadvertently been made dependent on claim 73 instead of on claim 72. Claims 75 and 76 had been indicated as allowable and applicant submits that amended claim 72 should now be allowable even without the limitations of claim 73. An advantage of the arrangement claimed in amended claim 72 is that the spaced braces provide an opening through which moving elements can extend. For example, in one of the embodiments illustrated in the application, a connecting rod 131 and lifting tube 132 extend through the opening between the braces as shown in Figure 9. The connecting rod 131 and lifting tube 132 can be used to swivel the leg rest portion of the mattress frame. MacDonald discloses a single cross bar connecting the two longitudinal spars. As a result, there is no opening for drive members to extend across the central portion of the intermediate frame in the lengthwise direction. Applicant respectfully submits that claim 72 as amended is allowable over MacDonald. The claims that depend from claim 72 are allowable for at least the same reasons as claim 72.

Applicant has amended claim 101 to include the limitations of previous claim 102. Amended claim 101 provides a bed including, *inter alia*, a hinge connecting two abutting longitudinal spars of adjacent sections of a reclining frame together with each spar being formed by a quadrilateral tube that transitions integrally into a hinge bracket and wherein at least one circular disk shaped spacing element is arranged between the hinge brackets.

The cited Korber patent discloses in Figure 12 a hinge for connecting the longitudinal spars of adjacent portions of the mattress frame. The hinge articulation provides two solid ends which are mounted in an overlapping configuration. A ball bearing is inserted in one hinge tap. In sharp contrast, the claimed invention provides a hinge for connecting longitudinal spars that are in the form of hollow members. At least one circular disk shaped spacing element is placed in the hinge to prevent the ends of the spars from becoming tangled. Korber does not teach or suggest such an arrangement. Accordingly, claim 101 as amended is allowable over Korber. The claims depending from claim 101 are allowable for at least the same reasons as claim 101.

Applicant respectfully submits that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. C. Bays', is written over a horizontal line.

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